IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.50 OF 2005
IN
CRIMINAL APPEAL NO.87 OF 2003

Rodya @ Santosh Dinkar Pawar ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mr.M.C.Shah i/by Mr.Akhilesh Singh for the applicant.

Mrs.U.V.Kejariwal, Additional Public Prosecutor for the Respondent/State.

Coram : R.M.Lodha &
R.S.Mohite,JJ

Date : 25.01.2005.

PC

. Heard Mr.Shah, learned Counsel for the applicant and the learned Additional Public Prosecutor for the Respondent/State.

2. PW 4, PW 6 and PW 9 are the eye witnesses to the incident. They are believed by the learned trial Judge. At this stage, it cannot be said that there is no legal evidence connecting the accused/applicant for the murder of Asif Ahmed Khan.

3. On merits, thus, we are satisfied that no case for grant of bail is made out.

4. The learned Counsel for the accused/applicant then submitted that the accused/applicant is HIV positive patient and he is also suffering from tuberculosis. However, that by itself, in our considered view, does not make out a ground for grant of bail.

5. Criminal Application for grant of bail is accordingly, rejected. However, concerned Jail Authorities are directed to ensure that accused/applicant gets appropriate treatment and is also medically checked up perodically.

(R.M.LODHA,J)

(R.S.MOHITE,J)